
REMARKS

This Amendment serves as the submission accompanying Applicant's Request for Continued Examination (RCE) filed pursuant to 37 C.F.R. § 1.114.

Applicant wishes to thank the Examiner for the telephone interview and the courtesy extended to Applicant's attorney during the telephone interview on June 21, 2005. The substance of the interview was summarized in the Office Communication dated June 23, 2005. In brief, the Examiner agreed that rejections of claim 1 over U.S. Patent Nos. 4, 597,221 and 5,450,692 (hereafter referred as Adair and Ruibal, respectively) would be overcome upon amendments made in the manner suggested by the Examiner. This response is based on that discussion and is intended to place all claims in condition for allowance. Reconsideration of this application in view of the above amendments and following remarks is therefore respectfully requested.

Claims 1-7 and 9 are now pending. Claims 1 and 6 have been amended according to the discussion during the telephone interview.

Independent claim 1 as amended is not anticipated by Adair for the reasons as set forth below. In the present invention, the support post serves to support the flower ornament pot and does not come into contact or penetrate the flowerpot. This feature allows for the flowerpot to be freely taken off the flower ornament pot and optionally be replaced by another flowerpot. This is not taught or suggested by Adair. The support post in Adair necessarily penetrates the flowerpot in order to further support an umbrella. Claims 2 and 4-5 are likewise not anticipated by Adair as they further limit claim 1.

Independent claim 6 as amended is not anticipated by Adair for the same rationale as discussed above. Dependent claim 7 is likewise not anticipated by Adair as it further limits claim 6. Accordingly, Applicant respectfully requests that this ground of rejection be withdrawn.

Claim 1 as amended is not anticipated by Ruibal because the flowerpot of the present invention rests upon an opening of and is in contact with the flower ornament pot. In addition, the flowerpot does not come into contact with the support post. These features allow for stable installation as well as easy replacement of the flowerpot. This is not taught or suggested by Ruibal. In Ruibal, the flowerpot (Figure 1, #12) is connected to a support post

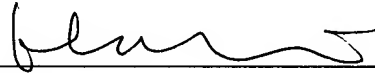
~~(#14) in an elevated position in relation to the flower ornament pot (#17), see also, Ruibal, col. 2,~~
lines 48-50. Claims 2-4 are likewise not anticipated by Ruibal as they further limit claim 1.
Applicant therefore respectfully requests that this ground of rejection be withdrawn.

Finally, because claim 9, which is dependent upon claim 6, is distinguishable from Adair in features besides the rib reinforcement member for reasons set forth above, the combination of Adair and Jarvis, or combination of Adair and Ruibal, does not render claim 9 obvious. Applicant therefore respectfully requests that this ground of rejection be withdrawn.

A good faith effort has been made to place this application in condition for allowance. However, should any further issue require attention prior to allowance, the Examiner is requested to contact the undersigned at (206) 622-4900 to resolve the same.

Respectfully submitted,

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